

PUBLIC NOTICE

PUBLIC NOTICE OF DRAFT NPDES PERMIT TO DISCHARGE INTO WATERS OF THE UNITED STATES

U.S. Environmental Protection Agency
Region 5, NPDES Programs Branch - WN-16J
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 353-2124

Public Notice No.: 04-02-01-A

Public Notice Issued On: February 27, 2004

Comment period ends: March 29, 2004

Permit No.: MI-0057087-1 (ISSUANCE)

Application No.: MI-0057087-1

Name and Address of Applicant:

Sault Ste. Marie Tribe of
Chippewa Indians
523 Ashmun St.
Sault Ste. Marie, MI 49783

**Name and Address of Facility
Where Discharge Occurs:**

Odenaang Subdivision WWTP
4000 Shunk Rd
Sault Ste. Marie, Michigan
Chippewa County
(NE 1/4 of Sec. 29, T47N, R1E)

Receiving Water: Frechette Creek

DESCRIPTION OF APPLICANT'S FACILITY AND DISCHARGE

The above named applicant has applied for an NPDES Permit to discharge into the designated receiving water. The permit will be issued by the U.S. Environmental Protection Agency (EPA).

The application indicates that the permittee plans to operate a 25,000 gallon per day extended aeration package plant followed by a 2.5 acre polishing pond with a controlled discharge (discharge 001) to Frechette Creek. The polishing pond will have sufficient capacity such that only an annual discharge during the spring will be needed.

Wastewater is from domestic sources only.

The draft permit requires the applicant to meet the following effluent limitations:

Controlled Discharge Limitations

<u>Effluent Parameter</u>	<u>30-Day Average During Discharge</u>	<u>7-Day Average During Discharge</u>
	mg/L	mg/L
5-Day Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	25	40
Total Suspended Solids (TSS)	30	45
Dissolved Oxygen	5.0 (daily minimum)	NA
Fecal coliform**	200 organisms/100 ml***	NA
pH	6.5 S.U.(minimum) - 9 S.U.(maximum)	

** Applicable from March 1 to October 31.

*** Geometric Mean

The permit also requires monitoring for E. coli, Ammonia Nitrogen (NH₃-N), Total Mercury, and Total Phosphorus, compliance with 40 CFR Part 503 when sludge is used or disposed, and 40 CFR Part 403 to prevent any pass through of pollutants or any inhibition or disruption of the permittee's facility. These limits are consistent with federal regulations and are also intended to be protective of Michigan water quality standards where they are applicable. MDEQ provided assistance in the development of the limits for this permit to ensure it would be protective of state water quality standards where applicable.

EPA conducted a nondegradation review in accordance with 40 CFR 131 and found the following:

1. The discharge to Frechette Creek is necessary. Based on the data provided, there are no ways that the discharge can be avoided through the use of pollution prevention techniques and there are also no alternative or enhanced treatment options available to the applicant at a reasonable cost that would eliminate the need for the discharge or reduce its impacts.

2. The increased discharge will support important social and economic development in the area affected by the discharge. The new discharge will allow the applicant to provide additional housing and employment to tribal members. The additional housing units will allow additional tribal members to live on the reservation.

TENTATIVE DETERMINATION

On the basis of preliminary staff review and application of applicable standards and regulations, the Regional Administrator of EPA, Region 5 proposes to issue a permit for the discharge from the Odenaang Subdivision Wastewater Treatment Plant subject to certain effluent limitations and special conditions.

COMMENT PROCEDURES and PUBLIC HEARING

The determination to issue the NPDES permit is tentative. EPA's comment and public hearing procedures may be found at 40 CFR 124.10, 124.11, 124.12, and 124.13. The following is a summary of those procedures:

1. The comment period during which written comments on the draft permits may be submitted extends to March 29, 2004.
2. During the comment period, any interested person may request a public hearing by filing a written request which must state the issues to be raised. The last day for filing a request for public hearing is March 29, 2004.
3. In appropriate cases, including those where there is significant public interest, the EPA Regional Administrator may hold a public hearing. A decision has not yet been made as to whether a public hearing will be held for this permit. Public notice of such a hearing will be circulated in at least one newspaper in the geographical area of the discharge and to those persons on the EPA mailing list at least 30 days prior to the hearing.
4. All comments received later than March 29, 2004, may be considered in the formulation of final determinations.
5. Written comments or requests for a public hearing must be delivered or mailed to:
John A. Colletti, U.S. Environmental Protection Agency, Region 5, NPDES Programs
Branch - WN-16J, 77 West Jackson Boulevard, Chicago, Illinois 60604

The application and Public Notice numbers should appear next to the EPA address on the envelope and on each page of any submitted comments. It is important that all viewpoints are considered before taking action. Therefore, we greatly appreciate your time and effort in participating in the public participation process. EPA will notify the applicant and each person who has submitted written comments or requested notice of the final permit decision.

PETITION TO REVIEW

Within 30 days following the service of notice of the Regional Administrator's final permit decision, any person who filed comments on the draft permits or participated in a public hearing, if held, may petition the Environmental Appeals Board to review any condition of the permit decision. The petition should be sent to the following address: Environmental Appeals Board, MC 1103B, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460.

AVAILABILITY OF DOCUMENTS

The application, draft permit, including proposed effluent limitations and special conditions, statement of basis, nondegradation review, and other documents contained in the administrative record, are available for inspection and may be copied at a cost of 15 cents per page at the Chicago Regional offices of the Environmental Protection Agency anytime between 9:00 a.m. and 4:00 p.m., Monday through Friday. You may also view the public notice, nondegradation review, statement of basis, and draft permit on Region 5's website at "<http://www.epa.gov/region5/water/npdestek/notices.htm>".

Please bring the foregoing to the attention of anyone you know that would be interested in this matter.